

AMENDMENT NO. 2
CONTRACT NO. 455-24-1003I FOR
WELL PLUGGING & RELATED SERVICES
BETWEEN
THE RAILROAD COMMISSION OF TEXAS AND
HAY CREEK INVESTMENTS, L.L.C.

THIS AMENDMENT NO. 2 to Contract No. 455-24-1003I (“Contract”) is entered into by and between the State of Texas, acting through the Railroad Commission of Texas (“RRC”), located at 1701 N. Congress Ave., Austin, Texas 78701 and Hay Creek Investments, L.L.C. (“Contractor”), located at 613 Wallis Ave, Santa Anna, Texas 76878 (individually, “Party”; collectively, “Parties”).

WHEREAS, SECTION 7.06. of the Contract provides the Parties may amend the Contract through written agreement; and

WHEREAS, on October 09, 2024, the Parties executed **Amendment No. 1** to the Contract to modify section **3.01. CONTRACT LIMIT, FEES AND EXPENSES.** changing the not-to-exceed amount of the Contract from THREE MILLION SEVEN HUNDRED FIFTY THOUSAND DOLLARS AND ZERO CENTS (\$3,750,000.00) to SEVEN MILLION EIGHT HUNDRED FIFTY THOUSAND DOLLARS AND ZERO CENTS (\$7,850,000.00), as approved by the RRC Commissioners on September 24, 2024.

WHEREAS, the Parties desire to further amend the Contract terms to their mutual benefit to reflect changed circumstances.

NOW, THEREFORE, the Parties agree to amend the Contract as follows:

- I. **SECTION 2.01. CONTRACT AWARD.,** subparagraph (a.) is deleted in its entirety and replaced with the following:

“This Contract is effective as of April 12, 2024, through August 31, 2026 (the initial term of the Contract plus the exercised optional renewal term one of four; collectively, “Contract Term”) unless terminated earlier as provided in RFQ No. 455-24-1003 Part III and/or section **2.02 TERMINATION.,** set forth in the original Contract.

This Contract may be extended only through written amendment to the Contract, fully executed prior to the expiration of the Contract Term in effect prior to execution of the applicable Amendment to the Contract.

RRC reserves the right to renew the Contract for three (3) additional, one-year renewals under the same terms and conditions plus any RRC approved changes:

- September 1, 2026 – August 31, 2027
- September 1, 2027 – August 31, 2028
- September 1, 2028 – August 31, 2029”

- II. **SECTION 3.01. CONTRACT LIMIT AND FEES AND EXPENSES.,** is deleted in its entirety and replaced with the following:

“**CONTRACT LIMIT, FEES AND EXPENSES.** The total amount of fees to be paid by RRC to Contractor under the Contract through the Contract Term shall not exceed **NINE MILLION EIGHT HUNDRED FIFTY THOUSAND DOLLARS AND ZERO CENTS (\$9,850,000.00)**, the total of which includes the current NTE amount of **SEVEN MILLION EIGHT HUNDRED FIFTY THOUSAND DOLLARS AND ZERO CENTS (\$7,850,000.00)**, as approved by RRC Commissioners on September 24, 2024, plus the addition of **TWO MILLION DOLLARS AND ZERO CENTS (\$2,000,000.00)**, as approved by RRC Commissioners on June 17, 2025.”

Except as expressly amended above, all provisions of the Contract, as amended, remain in full force and effect. In the event of a conflict among provisions of the Contract, the order of precedence shall be: this Amendment No. 2; then Amendment No. 1; and then the original Contract in accordance with section **1.03. ORDER OF PRECEDENCE.**, therein

IN WITNESS WHEREOF, the Parties hereto have made and executed this Amendment No. 2 to the Contract to be effective as of the date of the last Party’s signature hereto. By signatures below, each signatory represents and warrants that they have the authority to amend the Contract on behalf of the respective Parties.

RAILROAD COMMISSION OF TEXAS

DocuSigned by:
Theresa Lopez, Director of Operations
Theresa Lopez CTCD, CTCM,
Director of Operations
Signing on behalf of Wei Wang
Executive Director

Date: 8/25/2025

HAY CREEK INVESTMENTS, L.L.C.

DocuSigned by:
Davis Lunsford
Davis Lunsford,
President

Date: 8/25/2025

RRC use only below this line.
Division Director: DS
Chief Administrative Officer: LS
Director of Operations: TL
Office of General Counsel: DS

Date: 8/22/2025
Date: 8/21/2025
Date: 8/22/2025
Date: 8/20/2025